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WASHINGTON POST
30 July 1980

Carter Says He Is Eager To Testify in Billy Affair

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President Carter attempted to seize the initiative in the Billy Carter affair yesterday by announcing that he is eager to testify in person before a Senate subcommittee investigating his brother's ties to Libya.

In an afternoon announcement from the White House televised live by the three networks, the president said he wants to appear before the subcommittee "at the earliest opportunity" adding, "the sooner the better."

Carter said a detailed White House report with supporting documents on the case, requested by the subcommittee yesterday, will be submitted to the Senate panel and will be made public early next week.

Carter said that once the report is made public he will hold a nationally televised news conference to answer questions on the case, even if the subcommittee is not prepared at that time to question him.

That will almost certainly be the case next week, according to the subcommittee's chairman, Sen. Birch Bayh (D-Ind.).

"I don't see how we could refuse to hear the president if he voluntarily wants to come forward at a given time," Bayh said yesterday. But he added that he did not think the subcommittee should seek his testimony "before all the evidence and all the facts have been accumulated."

The president's announcement, the first time he has discussed the case in public, was the White House response to a deluge of requests for records bearing on the Billy Carter matter from the special nine-member Senate subcommittee.

Bayh's subcommittee asked the White House to produce by Friday records and other information relating to Libya's attempts to influence U.S. policy, Billy Carter's relationship with the government of Libya, the Justice Department's investigation of that relationship and contacts between the White House and the Justice Department relating to the investigation.

Similar requests were made by the subcommittee yesterday to the State,

Justice, Energy and Commerce departments, and the CIA, the National Security Agency and the FBI.

White House press secretary Jody Powell said he expects that most of the government agencies will have their reports ready for the subcommittee about the same time the White House report is submitted to the panel early next week.

Powell also said he "assumes" that all unclassified documents bearing on the case would be made public along with the report. He said this would include the written item the president found in his records of a "brief discussion" of his brother's case with Attorney General Benjamin R. Civiletti on June 17.

After days of assertions that there had been no contact between the White House and the Justice Department on the Billy Carter case, Civiletti last week acknowledged, after the president found the record of the conversation, that it had occurred, according to White House officials.

Carter told a group of House members last night that he will not ask for Civiletti's resignation and does not expect him to resign, according to Rep. Mary Rose Oakar (D-Ohio), one of about 22 junior Democrats at the White House meeting.

A question that was not answered by yesterday's announcement is whether the president is willing to appear at an open, nationally televised hearing on Capitol Hill. Powell said the precise mechanism for hearing Carter will be discussed with the subcommittee after the panel formally asks to question the president. He said the White House did not anticipate difficulty in reaching agreement with the subcommittee on the mechanism.

The Billy Carter case became a major political problem for the White House after the disclosure earlier this month that the president's brother had accepted \$220,000 in what he characterized as loans from the government of Libya.

After a lengthy Justice Department investigation, Billy Carter reluctantly agreed to register as an agent of the Libyan government, as required by law. Since the disclosure of the loans in the registration statement — a characterization the Justice Depart-

ment disputes — the White House has been besieged with questions about possible interference in the Justice investigation and about the president's knowledge of the extent of his brother's ties to a foreign government.

The controversy has thrown Carter and his aides on the defensive, and could hardly have come at a worse time for them. It has added fuel to the effort by Sen. Edward M. Kennedy (D-Mass.) and other Democrats to deny Carter renomination at the Democratic National Convention, which convenes in New York City in less than two weeks.

Yesterday, the White House launched a political counteroffensive with the clear intent of smothering the controversy before the convention with an all-out display of presidential candor and openness. While it may be weeks before the subcommittee is ready to hear from him, the president clearly hopes that the news conference he will hold on the subject next week will quiet public agitation over the case and diminish the importance attached to any later hearing conducted in the Senate.

Carter's appearance before television cameras in the White House press briefing room yesterday was his opening move to take the offensive.

"I have no doubt," he said, "that complete disclosure of the facts will clearly demonstrate that at no time did my brother influence me in my decisions toward Libya or the policies of this government concerning Libya, and I am convinced that the facts will make clear that neither I nor anyone acting in my behalf ever sought to influence or to interfere in the investigation of my brother by the Department of Justice."

Discussing the subcommittee's plans yesterday Bayh said he would like to call Civiletti as one of the subcommittee's first witnesses next week, but he acknowledged that this may not be feasible.

Civiletti is scheduled to leave Thursday for an American Bar Association convention in Hawaii and go from there to Australia.

At its first formal meeting yesterday afternoon the Senate subcommittee authorized Bayh and Vice Chairman Strom Thurmond (R-S.C.) to search for a prestigious outside counsel to direct the investigation. For the moment, it is relying on Senate legal counsel Michael Davidson and deputy legal counsel Robert Kelley.

Sen. Bob Dole (R-Kan.) suggested that the hiring of a chief counsel come first, but Bayh said he felt strongly that the investigation should begin forthwith with preliminary hearings.

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